



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB2644

Introduced 1/20/2006, by Sen. Susan Garrett

SYNOPSIS AS INTRODUCED:

420 ILCS 10/1.5 new	
420 ILCS 10/2	from Ch. 111 1/2, par. 4352
420 ILCS 10/4	from Ch. 111 1/2, par. 4354
420 ILCS 10/5	from Ch. 111 1/2, par. 4355
420 ILCS 10/7	from Ch. 111 1/2, par. 4357

Amends the Illinois Nuclear Safety Act to reflect the Illinois Emergency Management Agency's assumption of duties assigned to the Agency's predecessor, the Department of Nuclear Safety. Effective immediately.

LRB094 14571 RSP 49514 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Nuclear Facility Safety Act is
5 amended by adding Section 1.5 and changing Sections 1.5, 2, 4,
6 5, and 7 as follows:

7 (420 ILCS 10/1.5 new)

8 Sec. 1.5. Definition. In this Act, "Agency" means the
9 Illinois Emergency Management Agency.

10 (420 ILCS 10/2) (from Ch. 111 1/2, par. 4352)

11 Sec. 2. Policy statement. It is declared to be the policy
12 of the State of Illinois to prevent accidents at nuclear
13 facilities in Illinois for the economic well-being of the
14 People of the State of Illinois and for the health and safety
15 of workers at nuclear facilities and private citizens who could
16 be injured as a result of releases of radioactive materials
17 from nuclear facilities. It is the intent of the General
18 Assembly that this Act should be construed consistently with
19 federal law to maximize the role of the State in contributing
20 to safety at nuclear facilities in Illinois. It is the intent
21 of the General Assembly that the Agency ~~Illinois Department of~~
22 ~~Nuclear Safety~~ should not take any actions which are preempted
23 by federal law or engage in dual regulation of nuclear
24 facilities, unless dual regulation is allowed by federal law
25 and policies of the Nuclear Regulatory Commission. In
26 implementing its responsibilities under this Act, the Agency
27 ~~Illinois Department of Nuclear Safety~~ shall not take any action
28 which interferes with the safe operation of a nuclear facility.
29 (Source: P.A. 86-901.)

30 (420 ILCS 10/4) (from Ch. 111 1/2, par. 4354)

1 Sec. 4. Authorization. The Agency ~~Department~~ is authorized
2 to enter into any and all cooperative agreements with the
3 federal Nuclear Regulatory Commission consistent with the
4 applicable provisions of the Atomic Energy Act.

5 (Source: P.A. 86-901.)

6 (420 ILCS 10/5) (from Ch. 111 1/2, par. 4355)

7 Sec. 5. Program for Illinois nuclear power plant
8 inspectors.

9 (a) Consistent with federal law and policy statements of
10 and cooperative agreements with the Nuclear Regulatory
11 Commission with respect to State participation in health and
12 safety regulation of nuclear facilities, and in recognition of
13 the role provided for the states by such laws, policy
14 statements and cooperative agreements, the Agency ~~Department~~
15 shall develop and implement a program for Illinois resident
16 inspectors that, when fully implemented, shall provide for one
17 full-time Agency ~~Departmental~~ Illinois resident inspector at
18 each nuclear power plant in Illinois. The owner of each of the
19 nuclear power plants to which they are assigned shall provide,
20 at its expense, office space and equipment reasonably required
21 by the resident inspectors while they are on the premises of
22 the nuclear power plants. The Illinois resident inspectors
23 shall operate in accordance with a cooperative agreement
24 executed by the Agency ~~Department~~ and the Nuclear Regulatory
25 Commission and shall have access to the nuclear power plants to
26 which they have been assigned in accordance with that
27 agreement; provided, however, that the Illinois resident
28 inspectors shall have no greater access than is afforded to a
29 resident inspector of the Nuclear Regulatory Commission.

30 (b) The Agency ~~Department~~ may also inspect licensed nuclear
31 power plants that have permanently ceased operations. The
32 inspections shall be performed by inspectors qualified as
33 Illinois resident inspectors. The inspectors need not be
34 resident at nuclear power plants that have permanently ceased
35 operations. The inspectors shall conduct inspections in

1 accordance with a cooperative agreement executed by the Agency
2 (or its predecessor agency, the Department of Nuclear Safety)
3 and the Nuclear Regulatory Commission and shall have access to
4 the nuclear power plants that have permanently ceased
5 operations; provided, however, that the Illinois inspectors
6 shall have no greater access than is afforded to inspectors of
7 the Nuclear Regulatory Commission. The owner of each of the
8 nuclear power plants that has permanently ceased operations
9 shall provide, at its expense, office space and equipment
10 reasonably required by the inspectors while they are on the
11 premises of the nuclear power plants.

12 (c) The Illinois resident inspectors and inspectors
13 assigned under subsection (b) shall each operate in accordance
14 with the security plan for the nuclear power plant to which
15 they are assigned, but in no event shall they be required to
16 meet any requirements imposed by a nuclear power plant owner
17 that are not imposed on resident inspectors and inspectors of
18 the Nuclear Regulatory Commission. The Agency's ~~Department's~~
19 programs and activities under this Section shall not be
20 inconsistent with federal law.

21 (Source: P.A. 91-171, eff. 7-16-99.)

22 (420 ILCS 10/7) (from Ch. 111 1/2, par. 4357)

23 Sec. 7. The Agency ~~Department~~ shall not engage in any
24 program of Illinois resident inspectors or inspectors assigned
25 under subsection (b) of Section 5 at any nuclear power plant in
26 Illinois except as specifically directed by law.

27 (Source: P.A. 91-171, eff. 7-16-99.)

28 Section 99. Effective date. This Act takes effect upon
29 becoming law.